IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

WP(C).No. 11012 of 2007(J)

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CRIME NO. 7/07 OF THANNITHODE POLICE STATION

PETITIONER:

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VIJAYAMMA, D/O JANAKI AMMA,
AGED 45 YEARS, VADEKKE CHARIVIL,
THANNITHODE P.O., KONNI, PATHANAMTHITTA.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS:

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1. SUB INSPECTOR OF POLICE,
THANNITHODE POLICE STATION, THANNITHODE.

2. SUPERINTENDENT OF POLICE,
PATHANAMTHITTA DISTRICT, PATHANAMTHITTA.

3. DIRECTOR GENERAL OF POLICE,
POLICE HEADQUARTERS, THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI. GIKKU JACOB

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**R. BASANT, J.**

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W.P.C.No. 11012 of 2007 J

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Dated this the 9th day of April, 2007

**JUDGMENT**

The petitioner is the defacto complainant in a crime registered alleging offences punishable, inter alia, under Section 354 I.P.C. The alleged incident took place on 12.2.2007. The crime was registered on 13.2.2007. The petitioner is the informant/victim/defacto complainant. In the F.I. statement recorded by the police (Head Constable) allegations are raised only against one individual. It is the case of the petitioner that actually two more persons are involved in the commission of the crime. It is her grievance that no proper investigation is being conducted.

2. The learned Prosecutor, on instructions, submits that a proper and efficient investigation is being conducted by the Circle Inspector of police. Though initially allegations were raised only against one individual, presently allegations are raised against two more persons in a complaint submitted by the petitioner to the Superintendent of Police. A serious and efficient investigation is being conducted by the Circle Inspector, Pathanamthitta. Subsequent

allegations raised by the petitioner are taken note of. Her grievance that the F.I. statement has not been properly recorded is also being considered and the needful shall be done by the Circle Inspector of Police, Pathanamthitta, who is at present conducting the investigation. It is not necessary to direct investigation to be conducted by any other police officer, submits the Prosecutor.

3. I have considered the submissions made. I am satisfied in the facts and circumstances of the case that it is not necessary to direct investigation to be conducted by any officer other than the Circle Inspector of Police, Pathanamthitta, who is now conducting the investigation. He is not arrayed as one of the respondents. I have no reason to assume that proper investigation will not be conducted by the said officer, against whom no allegation is raised.

4. This Writ Petition is dismissed. I may hasten to observe that the second respondent, Superintendent of Police, must monitor the investigation conducted by the Circle Inspector of Pathanamthitta and ensure that proper and efficient investigation is conducted in the matter.

**(R. BASANT)**
Judge

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